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REMARKS

The Notice of Non-Compliant Amendment sent on December 23, 2003, objected to the preliminary amendment filed on November 30, 2001, and the amendment filed on November 26, 2003. The Notice requested: a complete listing of all the claims, a clean version of the replacement paragraphs from the amendment filed on November 30, 2001, and a marked-up version of the same. Pursuant to 37 C.F.R. § 1.121, only the non-compliant documents are resubmitted herewith.

The listing of claims provided with the amendment filed on November 26, 2003, was objected to because the preliminary amendment filed on November 30, 2001, added new claims 8-26, but the amendment sent on November 26, 2003, only supplied claims 8-21. Claims 12-21 were new claims added by the November 26, 2003 amendment, and should have been numbered claims 27-36, respectively. Accordingly, the proper numbering is reflected in the listing of claims submitted herewith. The listing of claims submitted herewith lists all claims ever presented, *i.e.*, 1-36.

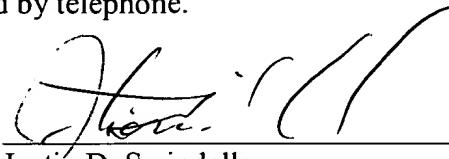
The claim-dependency numbers in the renumbered dependent claims 32-36 set forth in the listing of claims submitted herewith have been changed to reflect the new claim numbers from which each respective claim depends.

Claims 1-7 have been canceled. Claims 8-11 and 27-36 remain in the application for further prosecution. Please consider the amendments to claims 8-11 and new claims 27-36, submitted in the amendment sent on November 26, 2003.

In an Office Action dated August 27, 2003, claims 8-26 were deemed subject to a restriction requirement. Claims 8-11 were elected in the Amendment and Response to Office Action Dated August 27, 2003, sent on November 26, 2003. Accordingly, claims 12-26 have been withdrawn.

The present submissions are believed to place all prior amendments in compliance with 37 C.F.R. § 1.121, and entry of the amendments is respectfully requested. Should any deficiencies remain, the undersigned may be reached by telephone.

Date: January 15, 2004



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Attorneys for Applicants

Amendments to the Specification - 09/980,430
(Marked-Up Version)

- Please insert the following paragraph prior to the paragraph beginning on page 1, line 1:

--CROSS-REFERENCE TO RELATED APPLICATION

This application is a U.S. national phase of International Application No. PCT/NL00/00374, filed May 31, 2000, which is a complete and foreign application of Dutch patent application No. 1012208, filed June 1, 1999.--

- Please replace the paragraph beginning at page 1, line 13, with the following rewritten paragraph:

--Such a transducer is known, for instance, from [WO 91/10243] U.S. Patent No. 5,610,989. This publication recognizes the problems in manipulating the lead wires of the coil. These wires are often microscopically thin and must be connected to more robust connecting wires connecting the coil to the further circuits in the hearing aid.--

- Please replace the paragraph beginning at page 2, line 1, with the following rewritten paragraph:

--A problem in existing coil constructions which are not already mounted on a printed circuit board, and in coil constructions which, as in the technique according to [WO 91/10243] U.S. Patent No. 5,610,989, have already been pre-mounted on a, possibly flexible, printed circuit board, is that positioning the coil with respect to the other parts of the transducer, in particular with respect to the arm of the armature and with respect to the air gap of the magnetic element, is a painstaking, labor-intensive and time-consuming and hence costly activity. --

- Please replace the paragraph beginning at page 2, line 24, with the following rewritten paragraph:

--The invention is based on the insight that the printed circuit board can be fixedly connected to the armature and that, as a result, a coil fixedly connected to the printed circuit board can be accurately positioned with respect to the armature. By means of an automatic manufacturing process, for instance as elucidated in [WO 91/10243] U.S. Patent No. 5,610,989,

it is possible to position the coil very accurately with respect to the printed circuit board and to attach it thereto, for instance by means of adhesive. When thereupon the printed circuit board can be positioned with respect to the armature very accurately, the position of the coil with respect to the armature is thereby determined very accurately as well. The operation required for this purpose consists in sliding the printed circuit board over the armature, which is in operation which can be performed simply and fast. The invention thus provides an excellent solution to the above-outlined problem.--

- Please replace the paragraph beginning at page 3, line 20, with the following rewritten paragraph:

-- The transducer comprises a case 1 with an upper case portion 1a and a lower case portion 1b. The interior of the case communicates with the surroundings via a snout 3. In the case, a diaphragm 4 is fitted in such a manner that it can move freely relative to the case, for instance in the manner described in [Dutch patent application 1004877] commonly assigned U.S. Patent No. 6,078,677, entitled "Electroacoustic Transducer With Improved Diaphragm Attachment," which is incorporated herein by reference in its entirety. The diaphragm communicates via a so-called reed 5 with the end of a central armature leg 6a of an armature 6. In this case, the armature is E-shaped, as appears more clearly from Fig. 3, but may also be U-shaped.--

Amendments to Claims
(09/980,430 – Amendment filed November 26, 2003)

This Listing of Claims replaces all prior versions and listings of claims in the present application.

Listing of Claims

Claims 1-7 (Canceled)

8. (Currently Amended) A coil assembly for an electroacoustic transducer, comprising:

a coil having a coil opening defining an axis therethrough; and
an electric circuit board wherein at least a surface portion thereof is positioned against said coil in a substantially perpendicular relationship to said axis.

9. (Currently Amended) The coil assembly of claim 8, wherein said electric circuit board is flexible.

10. (Currently Amended) The coil assembly of claim 8, wherein said electric circuit board is rigid.

11. (Currently Amended) The coil assembly of claim 8, wherein said electric circuit board includes an opening, said opening of said electric circuit board being substantially aligned with said coil opening.

12. (Withdrawn) An assembly for an electroacoustic transducer, comprising:
an armature having a first leg;
a coil having a coil opening adapted to receive said first leg therethrough; and
a circuit board having an opening adapted to receive said first leg therethrough, said circuit board being attached to said coil.

13. (Withdrawn) The assembly of claim 12, wherein said armature includes a second leg, said circuit board having a first slot adapted to receive said second leg therethrough.

14. (Withdrawn) The assembly of 12, wherein said first leg and said second leg are disposed to form a U-shaped armature.

15. (Withdrawn) The assembly of claim 13, wherein said armature includes a third leg, said circuit board having a second slot adapted to receive said third leg therethrough.

16. (Withdrawn) The assembly of claim 15, wherein said first leg, said second leg, and said third leg are disposed to form an E-shaped armature.

17. (Withdrawn) The assembly of claim 12, wherein said circuit board is attached to said coil via an adhesive.

18. (Withdrawn) The assembly of claim 12, wherein said coil opening and said circuit board opening are dimensioned so as to permit movement of said first leg of said armature in said coil opening and said opening.

19. (Withdrawn) The assembly of claim 12, wherein at least a portion of said circuit board is substantially perpendicular to said first leg.

20. (Withdrawn) An electroacoustic transducer, comprising:
a case;
a transducing assembly disposed in said case, including:
an armature having a first leg;
a coil having a coil opening through which said first leg is received;
a circuit board attached to said coil, said circuit board having an opening through which said first leg is received, said circuit board including at least one terminal; and
a magnet assembly including a first magnet separated from a second magnet by a gap, said first leg being received through said gap; and
connecting means for connecting said first leg to a diaphragm disposed in said case.

21. (Withdrawn) The electroacoustic transducer of claim 20 further comprising a pin connected to said at least one terminal of said circuit board, said pin extending through an aperture in said case.

22. (Withdrawn) The electroacoustic transducer of claim 20, wherein said armature includes a second leg and a third leg, said circuit board includes a first slot disposed along a first outer edge of said circuit board and a second slot disposed along a second outer edge of said circuit board, said first slot receiving said second leg and said second slot receiving said third leg.

23. (Withdrawn) The electroacoustic transducer of claim 20, wherein said circuit board is substantially perpendicular to said first leg.

24. (Withdrawn) A method of assembling an electroacoustic transducer assembly, comprising the steps of:

providing a coil having a coil opening;
attaching a circuit board to said coil, said circuit board having an opening;
extending an armature leg through said coil opening and said opening; and
positioning a magnet assembly adjacent to said circuit board such that said armature leg extends through a gap between a first magnet and a second magnet.

25. (Withdrawn) The method of claim 24, further comprising the step of dimensioning said coil opening, said opening, and said gap so as to permit movement of said armature leg therebetween.

26. (Withdrawn) A method of positioning a movable armature leg within a coil opening, comprising the steps of:

providing a coil having a coil opening therethrough;
attaching a circuit board to said coil, said circuit board having an opening therethrough and at least one slot formed along a peripheral edge of said circuit board; and

registering said movable armature leg in said coil opening by passing a support leg through said at least one slot.

27. (New) The coil assembly of claim 8, wherein said surface portion of said electric circuit board is positioned against said coil by adhesion.

28. (New) The coil assembly of claim 12, wherein said adhesion is glue.

29. (New) The coil assembly of claim 8, wherein said electric circuit board includes electronics for signal processing.

30. (New) The coil assembly of claim 8, wherein said electric circuit board is electrically connected to said coil via lead wires.

C4
31. (New) A coil assembly for an electroacoustic transducer, comprising:
a coil having a coil opening defining an axis therethrough; and
an electric circuit board wherein at least a surface portion thereof is positioned against said coil in a substantially perpendicular relationship to said axis, said electric circuit board including signal processing electronics.

32. (New) The coil assembly of claim 31, wherein said electric circuit board is flexible.

33. (New) The coil assembly of claim 31, wherein said electric circuit board is rigid.

34. (New) The coil assembly of claim 31, wherein said electric circuit board includes an opening, said opening of said electric circuit board being substantially aligned with said coil opening.

35. (New) The coil assembly of claim 31, wherein said surface portion of said electric circuit board is positioned against said coil by adhesion.

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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 12-1-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____
- 3. Amendments to the drawings: _____
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: SEE ATTACHED _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/ropa/preognitice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

Bobbie Davenport _____ 703-305-9630 _____
Legal Instruments Examiner (LIE) Telephone No.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Paper No. _____

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 11-30-01 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: _____

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Robbie Davenport
Legal Instruments Examiner (LIE)



09980 430

Serial Number

Page 1 of 2

- Canceled claims cannot show text of claim.
- "Amended" is not a proper status identifier.
- Amendments to the Specifications should begin on a separate page.
- Amendment to the Claims should begin on a separate page.
- "Remarks" should begin on a separate sheet.
- The "Cover Sheet", amendments to the "Specifications", amendments to the "Claims", and "Remarks" should each begin on a separate sheet.
- Only "Currently Amended" and "Withdrawn" claims can show markings.
- Drawings should each have "Replacement Sheet(s)" or "Annotated Sheet(s)" as a heading.
- "Previously Added" is not a proper status identifier.
- "Previously Amended" is not a proper status identifier.
- A Clean copy and A Marked Up copy of the Claims is a Non-Compliant amendment Format.
- "Re-Presented" is an improper status identifier.
- "Claims have been cancelled" is an improper status identifier.
- "Currently Amended claims must show markings.

- A Clean copy and a Marked Up copy of Substitute Specification is needed.
- Amendments to the Specifications must be by marked-up replacement paragraphs or sections only; (no clean or replacement paragraph or section is required; No replacements sheets permitted.
- X Pre-Amendment filed 11/30/01 added claims 8-26. Amendment responsive to Office

- Action Mailed 8/27/03, sent 12/01/03, only supplied claims 8-21. At minimum, a set

- of claims 1 through 26 must be submitted for both amendments to be compliant.